

REMARKS

Claims 1-11 are pending. By this amendment, claim 2 is amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 3 and 5 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 2 has been amended to clarify the antecedent basis of the term “second mark” in claims 3 and 5. Applicant submits that the amendment is formal in nature and broadens the scope of claim 2 by removing a word and punctuation mark. Reconsideration and withdrawal of the objection to claims 3 and 5 under 35 U.S.C. 112, second paragraph is respectfully requested.

Claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over van den Brink (U.S. Patent No. 4,778,275). These rejections are respectfully traversed.

Claim 1 recites a method of positioning an object at a required position on an object table in a lithographic projection apparatus where in an object is placed at a first position on a first object table, a displacement between the first position of the object and a required position of the object is measured, the object is removed from the first object table, the object and the first object table are moved relative to each other by substantially the measured displacement, in a direction substantially parallel to the plane of the table, and the object is placed at substantially the required position on the first object table.

The office action alleges on page 3, paragraph 6 that “275 discloses object place [*sic*] on first position, measuring a displacement, removing the object, moving the object and the table relative to one another and placing the object at the required position,” and that it would therefore be obvious to then hold the mask in a first table position since “reference 275 teaches that the mask “object” is held at a position.” The office action therefore concludes that “with respect to claim 1 ... one of ordinary skilled in the art at the time of invention can simply consider the positions of the mask as the first object table” and “[t]his modification provides an apparatus to align the mask and the substrate in order to get better yield in the lithography.” It is respectfully submitted that the ‘275 patent neither discloses nor suggests that combination, and it would not be obvious to equate the initial position the mask is held at with what the applicant recites as the first object table.

As noted above, applicants’ claims are directed to *re-positioning* an object on a table, that is, positioning it, determining a corrected position, moving the object relative to the table, and positioning the object on the table once again. To this end, there is recitation of “removing the object.” The office action fails to address this portion of the method entirely

(see, p. 3 of Office Action). This is at least in part because the prior art cited is directed to positioning a pair of tables with respect to one another with no reference at all to re-positioning the object. There is no teaching anywhere of removing the object during the alignment operation of the prior art. The portions of the '275 patent cited in the Office Action – column 7 lines 24-40, column 7 line 64 through column 8 line 5, and Figure 3 – disclose a method *for aligning a mask and substrate* where the table is moved in the X- and Y-directions until a plurality of marks are aligned. There is no mention of removing the object from the first object table and replacing the object, as the applicants claim. Instead, in the '275 patent, the table is aligned with the object while the object remains on the table. There is no mention of moving the object and table relative to one another in a direction parallel to the plane of the table, as the applicants claim. Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over van den Brink (U.S. Patent No. 4,778,275) is respectfully requested.

Because claims 2-10 depend from claim 1, they are patentable for at least the same reasons as claim 1. Therefore, reconsideration and withdrawal of the rejections of claims 2-10 under 35 U.S.C. 103(a) as being unpatentable over van den Brink (U.S. Patent No. 4,778,275) is respectfully requested.

Furthermore, because the office action states that claim 11 is “similar to” claim 1 and therefore rejected for similar reasons, applicants respectfully submit that claim 11 is patentable for at least the same reasons articulated for claim 1. Moreover, applicants submit that such a rejection based on “similarity” of claims does not meet the standards of a proper rejection in which each and every element of the claim must be shown to be present in the cited reference. Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over van den Brink (U.S. Patent No. 4,778,275) is respectfully requested.

In view of the above amendments and remarks, applicants respectfully submit that all the claims are allowable and that the entire application is in condition for allowance.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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